

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent application of: Harold Aberman, Timothy Simon and Douglas Jackson  
for *CARTILAGE REPAIR PLUG*, the specification of which is being transmitted herewith.

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

**Section 1. Identification of Prior Application in Which Listed Information Was Already Cited and for Which No Copies Are Submitted or Need Be Submitted**

This application relies, under 35 U.S.C. § 120, on the earlier filing date of prior application SN.: 09/525,437, filed on March 14, 2000.

The following references were submitted to, and/or cited by, the Office in the prior application and, therefore, are not required to be provided in this application:

Please see attached Form PTO/SB/08A and Form PTO-892 which list the cited references.

Also please find an additional PTO-1449 Form citing further references in regards to the submission of this divisional patent application.

**Section 2. Identification of Person(s) Making This Information Disclosure Statement**

The person making this certification is:

- a. the practitioner who signs below on the basis of the information in the practitioner's file.

Date: \_\_\_\_\_

9/30/03



Gunther O. Hanke  
Registration No. 32,989  
Fulwider Patton Lee & Utecht, LLP  
200 Oceangate, Suite 1550  
Long Beach, CA 90802  
562-432-0453  
Customer No. 27629

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PTO/SB/08A (10-96)  
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Substitute for form 1449A/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(use as many sheets as necessary)</i>		<b>C mplete if Known</b>	
		Application Number	09/525,437
		Filing Date	03/14/2000
		First Named Inventor	Timothy Simon
		Group Art Unit	3738
		Examiner Name	
		Attorney Docket Number	SIMTI.50641
Sheet	1	of	2

U.S. PATENT DOCUMENTS						
Examiner Initials <sup>1</sup>	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (if known)			
	1	3,875,595		Froning	04/08/1975	
	2	4,446,578		Perkins et al.	05/08/1984	
	3	4,570,270		Oechsle, III	02/18/1986	
	4	4,641,651		Card	02/10/1987	
	5	4,743,632		Marinovie	05/10/1988	
	6	4,904,260		Ray et al.	02/27/1990	
	7	4,938,763		Dunn et al.	07/03/1990	
	8	5,077,049		Dunn et al.	12/31/1991	
	9	5,007,940		Berg	04/16/1991	
	10	5,067,964		Richmond et al.	11/26/1991	
	11	5,130,347		Mitra	07/14/1992	
	12	5,278,201		Dunn et al.	01/11/1994	
	13	5,324,519		Dunn et al.	06/28/1994	
	14	5,340,849		Dunn et al.	08/23/1994	
	15	5,414,049		Sun et al.	05/09/1995	
	16	5,468,787		Braden et al.	11/21/1995	
	17	5,556,429		Felt	09/17/1996	
	18	5,599,552		Dunn et al.	02/04/1997	
	19	5,607,474		Athanasious et al.	03/04/1997	
	20	5,655,546		Halpern	08/12/1997	

FOREIGN PATENT DOCUMENTS							
Examiner Initials <sup>1</sup>	Cite No. <sup>1</sup>	Foreign Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				
	1		WO 96/39169	Wozney et al.	12/12/1996		
	2		WO 96/39170	Hattersley et al.	12/12/1996		
	3		WO 97/13533	Walter et al.	04/17/1997		
	4		2,639,823	Garcia	06/08/1990		

Examiner Signature		Date Considered	
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<sup>1</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>2</sup> Unique citation designation number. <sup>3</sup> See attached Kinds of U.S. Patent Documents. <sup>4</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>5</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>6</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>7</sup> Applicant is to place a check mark here if English language Translation is attached.

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**C mplete if Known**

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Sheet 2

2

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12

09/525,437

03/14/2000

Timothy Simon

3738

SIMTL50641

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Date Considered

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number. (See WIPO Standard ST.3.)

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<b>Notic of References Cited</b>	Application/Control No. 09/525,437	Applicant(s)/Patent Under Reexamination SIMON ET AL.	
	Examiner Hieu Phan	Art Unit 3738	Page 1 of 1

**U.S. PATENT DOCUMENTS**

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
✓	A	US-4,222,128	09-1980	Tomonaga et al.	106/35
✓	B	US-4,955,911	09-1990	Frey et al.	623/23.51
✓	C	US-6,149,688	11-2000	Brosnahan et al.	623/23.5
	D	US-			
	E	US-			
	F	US-			
	G	US-			
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

**FOREIGN PATENT DOCUMENTS**

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

**NON-PATENT DOCUMENTS**

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
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	X	

\*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)  
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**Notice of References Cited**

Application/Control No.

09/525,437

Applicant(s)/Patent Under  
Reexamination  
SIMON ET AL.

Examiner

Hieu Phan

Art Unit

3738

Page 1 of 1

**U.S. PATENT DOCUMENTS**

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
✓	A	US-5,458,643	10-1995	Oka et al.	623/17.16
✓	B	US-5,769,899	06-1998	Schwartz et al.	606/77
	C	US-			
	D	US-			
	E	US-			
	F	US-			
	G	US-			
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

**FOREIGN PATENT DOCUMENTS**

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

**NON-PATENT DOCUMENTS**

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	Doctor's Guide, "New Technique To Repair Common Sports injury Fields Excellent Results", <a href="http://www.pslgroup.com/dg/462a2.htm">http://www.pslgroup.com/dg/462a2.htm</a>
	V	
	W	
	X	

\*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)  
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

<b>FORM PTO-1449 (Modified)</b>				Docket No.: CHOND.65023		Serial No.:	
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT				Applicant:			
				Filing Date:		Art Unit:	
<b>UNITED STATES PATENT DOCUMENTS</b>							
*Exr's. Inits.	Cite #	Patent No.	Date	Name	Class	Sub Class	Filing Date (if applic- able)
	1	5,067,964	11/26/1991	Richmond et al.			
	2	5,152,791	10/06/1992	Hakamatsuka et al.			
	3	5,306,311	04/26/1994	Stone et al.			
	4	5,556,429	09/19/1996	Felt			
	5	5,607,474	03/04/1997	Athanasίου et al.			
	6	5,632,745	05/27/1997	Schwartz			
	7	5,795,353	08/18/1998	Felt			
	8	5,861,043	01/19/1999	Carn			
	9	5,879,403	03/09/1999	Ostiguy et al.			
	10	5,888,220	03/30/1999	Felt et al.			
	11	5,997,580	12/07/1999	Mastrorio et al.			
	12	6,008,433	12/28/1999	Stone			
	13	6,079,868	06/27/2000	Rydell			
	14	6,140,452	10/31/2000	Felt et al.			
	15	6,342,055	01/29/2002	Eisermann et al.			
<b>FOREIGN PATENT DOCUMENTS</b>							
Exr's. Init.	Cite #	Document No.	Date	Country	Class	Sub	Translat ion? Yes No
	1	99/56800	11/11/1999	WO			
<b>OTHER REFERENCES (Including Author, Date, Title, Pertinent Pages, Etc.)</b>							
Exr's. Inits.	Ref.	Bibliographic Data					
	AR						
	AS						
Examiner					Date Considered		
* Examiner: Initial if citation considered, whether or not citation is in conformance with M.P.E.P. ¶ 609. Draw line through citation (i.e., <del>citation</del> ) if not in conformance and not considered. Include copy of this form with next communication to applicant.							